



Lafayette School District

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August 13, 2018

The Honorable David Chiu
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0017

Dear Assembly Member Chiu:

Thank you for your efforts to address the affordable housing challenges in the Bay Area. As an employer in the region, I realize the many obstacles to making progress in the region as a whole, or parcel by parcel in city after city.

Despite its good intentions, I am writing to express my concern with and opposition to AB2923. As the local leader of a public school district, there are unintended consequences to bringing a new public agency into the mix in large scale residential construction that may not be fully considered in the current version of the legislation.

One of the significant impacts of any residential development, especially the multi-family housing that the legislation contemplates around BART stations, is on the local school district. Depending upon the price point and the community and the quality of the neighborhood schools, the number of school-aged children per residence can be a significant multiple of the number of units built.

School districts and cities have been natural and collaborative partners in residential development, with long histories of working together to understand the impact on schools of new housing. We oftentimes plan together to mitigate the impact of large numbers of new housing units by negotiating with developers for land or financial resources to help build new classrooms necessary to house students.

AB2923 as it exists today would allow BART to develop its properties without an opportunity for the local school district to weigh in on its needs in the process. The development of transit-oriented development (TOD) zoning standards takes place in the statute at the exclusive will of BART. While the statute is quite clear about how the TOD standards interact with city building codes, there is no

acknowledgement of other public agencies that may need an explicit voice in the implementation of these standards. Developer fees, if allowed, might not fund the considerable expense of construction in the Bay Area today; indeed, our school district will likely not meet its intended goals for its bond projects as costs have been rapidly escalating for the current roster of site improvements. While the CEQA review might provide some small relief, it too does not guarantee any specific input and there are prohibitions against the use of CEQA by local agencies. Schools could become suddenly overcrowded and unable to meet the needs of providing a quality education in a clean, safe, optimal environment for their students.

In our community in particular, the specter of multi-family housing at the BART site could be a challenge for our schools. We have been building capacity with funding from a recent bond election to the needs that we knew about and could predict. The city has other large residential developments in the queue that could impact our schools. Everyone is working together to ensure that we contribute to housing needs but that we have the infrastructure – including the critically important educational infrastructure – to serve the new residents. Simply put, a new BART development could throw a giant wrench in this process, planned over years and years of effort by the City of Lafayette and the Lafayette School District.

Therefore, I must express my opposition to AB2923.

Thank you for your time and consideration.

Sincerely,



Richard Whitmore
Superintendent
Lafayette School District

cc: The Honorable Steve Glazer
The Honorable Catharine Baker